

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DWAYNE MINGO	:	CIVIL ACTION
a/k/a DWAYNE MINE	:	
	:	
v.	:	
	:	
SUPT. RAYMOND LAWLER, et al.	:	NO. 08-469

**ORDER**

AND NOW, this 9<sup>th</sup> day of September, 2008, upon careful and independent consideration of the pleadings and record herein, and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter, it is hereby

**ORDERED:**

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Objections are overruled;
3. The petition for a writ of habeas corpus is **DENIED**;
4. Petitioner's "Petition Requesting For [sic] Sanctions for Respondents [sic] Failure to Comply with Rule 5, 28 U.S.C. § 2254" (Doc. No. 11) is **DENIED**; and
5. A certificate of appealability is not granted.

BY THE COURT:

/s/ Edmund V. Ludwig  
EDMUND V. LUDWIG, J.